

City of Shannon Hills, Arkansas
Regular City Council Meeting
Feb 13, 2007

Mayor Davis called the meeting to order at 6:30pm.

Mayor Davis led the Pledge of Allegiance.

Roll Call: Present were Mayor Davis, Aldermen Robin Baker, Mike Kemp, Toni Cobb, James Smith, Dave Holsomback and Diane Everett, Recorder-Treasurer Curt Wilson and City Attorney Patrick Benca.

Minutes: A motion was made by Alderman Kemp to accept the minutes for January 2007, as printed. The motion received a second from Alderman Holsomback. The motion was approved via voice vote with no opposition.

Financial Report: Recorder-Treasurer Wilson presented the financial report for January 2007. Financial summary was:

General Fund:

Checking account.....	\$20,133.78
Undeposited Cash	\$ 401.91
Reserve Fund	\$31,320.22
Payroll Fund	\$ 250.00
Total General Fund ...	\$52,105.91

General Fund Revenue....	\$41,912.88
General Fund Expenditures	\$32,716.99

Street Fund:

Checking Account	\$61,295.90
Undeposited Cash	\$ 193.66
Reserve Fund	\$35,760.92
Total Street fund	\$97,250.48

Street Fund Revenue....	\$ 8,684.35
Street Fund Expenditures	\$ 4,092.75

Reader Board Fund	\$ 602.41
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Bond & Fine Account	\$11,435.45
Court Clerk Account	\$ 7,119.04

A motion was made by Alderman Baker to accept the financial report as presented. Alderman Kemp provided a second. The motion was approved via voice vote with no opposition.

Alderman Kemp Reminded the Council that Last month the December Financial report was presented but ratification was tabled because some Council members received it too late to

review it prior to the meeting. Alderman Baker made a motion to approve the December 2006 Financial Report as presented. Alderman Holsomback provided a second. The motion was approved via voice vote with no opposition.

Mayor Davis presented the Annual “State of the City Report”. A copy is attached to these minutes and another copy is filed in the Recorder-Treasurer’s office in a binder labeled “Department Head Reports.”

Department Head Reports:

The Department heads submitted written reports. Those reports are on file in the office of the Recorder-Treasurer and are available to any interested parties.

Old Business:

Update from Tim Lemons of Lemons Engineering on the Sewer Plant Project: Mayor Davis reported that Mr. Lemons has the flu and is not able to attend. Mr. Lemons has reported that The downsizing plans have been redrawn and are ready to present to the health department and other involved agencies. Following several minutes of discussion Mayor Davis asked for a vote to authorize Lemons Engineering to proceed with the project. A motion to that effect was made by Alderman Kemp. A second was provided by Alderman Baker. In a roll call vote, all six (6), aldermen voted “Yes.” The motion was approved.

New Business:

Item 1: Ordinance 2007-03, Annexing 17 acres on Vimy Ridge Road.

First Reading:

City Attorney Benca read the ordinance into the record. Following the reading comments were made concerning the perceived over use of the “emergency clause” on almost all ordinances and the tendency of the council to rush thru the required three (3) readings and votes on each ordinance. Another concern was expressed by Alderman Holsomback about the lack of business or commercial property available in the city or in the areas being annexed.

Alderman Baker made Call for the question motion and on a roll call vote Aldermen Kemp, Smith, Holsomback, Everett and Baker voted “Yes.” Alderman Cobb voted “No.” The motion passed with 5 “Yes” and 1 “No” votes.

A motion to Approve Ordinance 2007-03 (First Reading), was made by Alderman Kemp with a second provided by Alderman Baker. In a roll call vote, Aldermen Smith, Holsomback, Everett, Baker and Kemp voted “Yes.” Alderman Cobb voted “No.” The motion passed with 5 votes for and 1 vote against.

Item 2: Ordinance 2007-04 Raising Water rates from \$3.00 to \$3.50 per 1000 gallons, leaving the cost of the first 1500 gallons unchanged.

First Reading:

Following a brief explanation from Mr. David Passmore, the Public Works Manager, about how the amount of the increase was established, City Attorney Benca read the ordinance into the record.

Following the reading, Alderman Kemp moved that the Ordinance be approved as read. Alderman Everett provided a second. In a roll call vote Alderman Smith, Holsomback, Everett, Baker, Kemp and Cobb voted “Yes.” There were no opposing votes. The motion is approved.

Suspend rules for second reading:

There was a motion from Alderman Kemp to suspend the rules and bring Ordinance 2007-04 to the floor for a second reading, invoking the emergency clause and reading only the title. Alderman Baker provided a second. Motion was approved by voice vote. There was no opposition.

Second Reading:

Alderman Kemp moved that Ordinance 2007-04 be approved. Alderman Everett provided a second. Attorney Benca read the ordinance title. Following the reading, in a roll call vote, Aldermen Holsomback, Everett, Baker, Kemp, Cobb and Smith voted “Yes”. There were no opposing votes. The motion is approved.

Suspend rules for third reading:

There was a motion from Alderman Kemp to suspend the rules and bring Ordinance 2007-04 to the floor for a third reading, invoking the emergency clause and reading only the title. Alderman Holsomback provided a second. Motion was approved by voice vote. There was no opposition.

Third Reading:

Alderman Kemp moved that Ordinance 2007-04 be approved. Alderman Everett provided a second. Attorney Benca read the ordinance title. Following the reading, in a roll call vote, Aldermen Everett, Baker, Kemp, Cobb, Smith and Holsomback voted “Yes”. There were no opposing votes. The Motion was Approved. With this third reading and vote Ordinance 2007-04 is Approved.

Item 3. Ordinance 2007-05 Raising sewer rates from 2.10 to 3:00 per 1000 gallons, leaving the base rate of 18.70 for the first 1500 gallons unchanged.

First reading:

Alderman Kemp made a motion to approve the ordinance. Alderman Everett provided a second.

City Attorney Benca Read the Ordinance.

Following the reading there was a brief discussion about the future of water and sewer rates in the city. Following the discussion, in a roll call vote, Aldermen Everett, Baker, Kemp, Cobb, Smith and Holsomback voted “Yes”. The Motion was approved with 6 “Yes” votes and 0 “No” votes.

Abstained.

Suspend rules for second reading:

There was a motion from Alderman Kemp to suspend the rules and bring Ordinance 2007-05 to the floor for a second reading, invoking the emergency clause and reading only the title. Alderman Everett provided a second. Motion was approved by voice vote. There was no opposition.

Second Reading:

Alderman Kemp moved that Ordinance 2007-05 be approved. Alderman Everett provided a second. Attorney Benca read the ordinance title. Following the reading, in a roll call vote, Aldermen Baker, Kemp, Cobb, Smith, Holsomback and, Everett voted “Yes”. The Motion was approved with 6 “Yes” votes and 0 “No” votes.

Suspend rules for third reading:

There was a motion from Alderman Kemp to suspend the rules and bring Ordinance 2007-05 to the floor for a third reading, invoking the emergency clause and reading only the title. Alderman Baker provided a second. Motion was approved by voice vote. There was no opposition.

Third Reading:

Alderman Kemp moved that Ordinance 2007-05 be approved. Alderman Holsomback provided a second. Attorney Benca read the ordinance title. Following the reading, in a roll call vote, Aldermen Kemp, Cobb, Smith, Holsomback, Everett and Baker voted “Yes”. The Motion was approved with 6 “Yes” votes and 0 “No” votes. With this third reading and vote, Ordinance 2007-05 is approved.

Item 4: Mayor Davis introduced the new Court Clerk, Stacey Cook to the Council and those in attendance.

Item 5: Ordinance 2007-06, to abolish, forever, of the Shannon Hills City Court and to replace it with *Saline County District Court - Shannon Hills Division*.
City Attorney Benca read the Ordinance in its entirety.

First reading:

Alderman Kemp moved that Ordinance 2007-06 be approved. Alderman Holsomback provided a second. In a roll call vote, Aldermen Cobb, Smith, Holsomback, Everett, Baker and Kemp voted “Yes”. The Motion was approved with 6 “Yes” votes and 0 “No”.

Item 6: Need to allocate an additional \$270.00 to the Court Clerk Salary Budget line item in order to provide for a two-week training/transition period during which two Court Clerks must be paid.

Motion to amend the stated budget line item by the stated amount was made by Alderman Baker. A second was provided by Alderman Everett. In a roll call vote Aldermen Holsomback, Everett, Baker, Kemp, Cobb and Smith voted “Yes.” There were no opposing votes. The Motion is approved.

Item 7. Approval of a proposed contract purchase approximately forty, (40), water customer accounts from Sardis Water at \$850.00 per account. The contract would call for a down payment of Three Thousand dollars, (\$3,000.00) and sixty monthly payments of Five Hundred dollars (\$500.00),

A motion to authorize the Mayor and the Director of Public Works to proceed to negotiate a contract to purchase said water customers from Sardis Water was made by Alderman Kemp. Alderman Holsomback provided a second. In a roll call vote, Alderman Everett, Baker, Kemp, Cobb, Smith and Holsomback voted “Yes.” There were no opposing votes. The motion is approved.

Item 8: Ordinance 2007-07 An ordinance to replace Water deposits with Connection fees of Seventy-five (75) dollars for all new water accounts.

First Reading:

Mayor Davis explained the reasons behind making the change. City Attorney Benca read the ordinance, in full. Alderman Baker made a motion to adopt the ordinance as read. A second was provided by Alderman Everett. Following a brief discussion, in a roll call vote, Alderman Baker, Kemp, Cobb, Smith, Holsomback and Everett voted "Yes." There were no opposing votes. The motion is approved.

Suspend rules for second reading:

There was a motion from Alderman Kemp to suspend the rules and bring Ordinance 2007-07 to the floor for a second reading, invoking the emergency clause and reading only the title. Alderman Baker provided a second. Motion was approved by voice vote. There was no opposition.

Second Reading:

Alderman Kemp moved that Ordinance 2007-07 be approved. Alderman Everett provided a second. Attorney Benca read the ordinance title. Following the reading, in a roll call vote, Aldermen Cobb, Smith, Holsomback, Everett, Baker and, Kemp voted "Yes". The Motion was approved with 6 "Yes" votes and 0 "No" votes.

Suspend rules for third reading:

There was a motion from Alderman Kemp to suspend the rules and bring Ordinance 2007-07 to the floor for a third reading, invoking the emergency clause and reading only the title. Alderman Holsomback provided a second. Motion was approved by voice vote. There was no opposition.

Third Reading:

Alderman Kemp moved that Ordinance 2007-07 be approved. Alderman Holsomback provided a second. Attorney Benca read the ordinance title. Following the reading, in a roll call vote, Aldermen Smith, Holsomback, Everett, Baker and Kemp voted "Yes". The Motion was approved with 6 "Yes" votes and 0 "No" votes. With this third reading and vote, Ordinance 2007-07 is Approved.

Item 9: Resolution 2007-02, A resolution authorizing an agreement with Central Arkansas Water to use the New Shannon Hills water tower to provide water service to a new housing development in Little Rock.

The fee for the use of the tower will be \$1,200.00 per house or living unit. Fifty-Seven housing units are planned for the subdivision.

There was some preliminary discussion about wording and wording amendments were made as a result. Following the discussion, City Attorney Benca Read the Resolution, as amended.

A motion to approve the resolution, as read, was made by Alderman Baker. A second was provided by Alderman Everett. In a roll call vote Aldermen Holsomback, Everett, Baker, Kemp, Cobb and Smith voted "Yes." There were no opposing votes. The Resolution is adopted.

Item 10. Resolution 2007-04 A resolution of Appreciation to Staci Brantley as departing Court

Clerk for a job well done.

City Attorney Benca read the resolution. Following the reading, Alderman Kemp moved for its approval. Alderman Everett provided a second. The motion was approved by voice vote. There were no opposing votes.

Item 11. Discussion concerning the Planning Commission, requested by Alderman Cobb.

Alderman Cobb moved to Table the issue. Alderman Everett provided a second. Motion was approved by voice vote. There were no opposing votes.

Item 12. Resolution 2007-03 A resolution of appreciation to Alderman Diane Everett. Alderman Everett resigned her position as a result of a change of address placing her outside of the ward that she serves.

City Attorney Benca read the resolution. Following the reading, Alderman Kemp moved for its approval. Alderman Baker provided a second. The motion was approved by voice vote. There were no opposing votes.

Comments:

Citizen Ms. Tuggle brought up an article in a recent copy of the Arkansas Democrat-Gazette concerning the loss in resale value of homes near other homes or property that is not well maintained. She asked about what ordinance(s) the city had in force that addressed this issue. She stated that if an ordinance does exist it needs to be enforced. Some discussion followed concerning how violations are detected, reported and addressed.

Citizen Ms. Barriage commended the police department for the way they addressed and resolved an issue involving some children using BB guns and possibly a 22 rifle on and near her property.

An unidentified citizen expressed concern about what has transpired over the years with respect to the water and sewer infrastructure and the cost to the citizens.

A Motion to Adjourn was made by Alderman Baker. A second was supplied by Aldermen Everett and Holsomback. Motion was approved by voice vote with no opposition.

The Meeting Adjourned at 8:44pm.

Date: _____

Approved: _____

Larance Davis, Mayor

Attest: _____

Curt Wilson, Recorder-Treasurer

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